

C O P Y

May 13, 1954

George F. Nelson, Esq.,
Assistant Attorney General

Attorney General

Subject Covered bridges on class IV highways

Frank D. Merrill, Commissioner,
Department of Public Works and Highways

Dear General Merrill:

Under Laws of 1953, chapter 184, construction or reconstruction of existing wooden covered bridges is limited to those upon "state secondary and town road systems".

By R.L. c. 90, Pt. 1, s. 3, as amended by Laws of 1945, c. 188, the secondary state highway system is limited to those specified and by s. 4 of said Pt. 1 of said chapter "town roads" consist of all traveled highways other than class IV highways which the town has a duty to maintain regularly. The financial provisions of ss. 9 and 10 of Pt. 14 of c. 90 of the Revised Laws as inserted by c. 188, Laws of 1945, are geared to those definitions. Your interpretation that s. 7 of Pt. 2 of said section, reciting that no state funds shall be expended thereon except as may be authorized by "section 1-a, Part 13" (now section 2, part 13) is applicable to existing wooden covered bridges on Class IV highways, is correct.

I agree with you that in the absence of an emergency only one bridge of any kind is annually eligible for aid in each city, town or unincorporated place by the provisions of s. 6 of said Pt. 14.

Very truly yours,

George F. Nelson
Assistant Attorney General

GFN:HP

NEW HAMPSHIRE LAW LIBRARY

SEP 22 1998

CONCORD, N.H.